

**UNITED STATES OF AMERICA  
U.S. DISTRICT COURT -- EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHIGAN URGENT CARE &  
PRIMARY CARE PHYSICIANS, P.C.,

Plaintiff,

-vs-

Judge David M. Lawson  
2:15-cv-13156-DML-APP

ATHENAHEALTH, INC.,  
and JOHN DOES 1-10,

Defendants.

**EXECUTED STIPULATION TO DISMISS<sup>1</sup>**

WHEREAS, the parties have settled the case and the settlement agreement requires the dismissal of Plaintiff's individual claims with prejudice and without costs, and the dismissal of the claims of any putative class member without prejudice and without costs; and

WHEREAS, pursuant to Fed R. Civ. Proc. 41(a), the parties stipulate to the dismissal of this case on those terms.

---

<sup>1</sup> The original Stipulation to Dismiss was filed without signatures included. This Stipulation is being filed to correct that error.

SO STIPULATED:

By: /s/ Daniel A. Edelman  
Daniel A. Edelman  
Cathleen M. Combs  
EDELMAN, COMBS, LATTURNER  
& GOODWIN, LLC  
20 South Clark Street, Suite 1500  
Chicago, Illinois 60603  
(312) 739-4200  
(312) 419-0379 (FAX)  
Email: dedelman@edcombs.com

By: /s/ Robert M. Horwitz  
Robert M. Horwitz (P51466)  
DYKEMA GOSSETT PLLC  
400 Renaissance Center, 36<sup>th</sup> Floor  
Detroit, MI 48243  
Phone: (313) 568-5384  
[rhorwitz@dykema.com](mailto:rhorwitz@dykema.com)

*Attorneys for Defendant athenahealth, Inc.*

Adam G. Taub (P48703)  
ADAM G. TAUB & ASSOCIATES  
CONSUMER LAW GROUP, PLC  
17200 W 10 Mile Rd Suite 200  
Southfield, MI 48075  
Phone: (248) 746-3790  
Email: adamgtaub@clgplc.net

*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that on March 17, 2016, I electronically filed the foregoing paper with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties by operation of the Court's electronic filing system

/s/ Daniel A. Edelman  
Daniel A. Edelman  
Cathleen M. Combs  
EDELMAN, COMBS, LATTURNER  
& GOODWIN, LLC  
20 South Clark Street, Suite 1500  
Chicago, Illinois 60603  
(312) 739-4200  
(312) 419-0379 (FAX)  
Email: dedelman@edcombs.com

*Attorney for Plaintiff*